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Attorneys for Defendant Power Medical Interventions

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MYRICK TANTIADO, an individual,

Plaintiff,

v.

POWER MEDICAL INTERVENTIONS, a
Pennsylvania corporation, and DOES ONE
through FIFTY, inclusive,

Defendants.

Case No. C 07-02874 CRB

**DEFENDANT POWER MEDICAL
INTERVENTIONS, INC.'S OFFER
OF JUDGMENT ON COUNT II OF
PLAINTIFF'S COMPLAINT**

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Power Medical Interventions, Inc. ("PMI") hereby offers to allow judgment to be entered against it in the above-captioned case and in favor of Plaintiff Myrick Tantiado on Count II of Plaintiff's

1 Complaint in the amount of \$17,064.00 plus pre-judgment interest as the Court may determine and
2 contingent on all claims against PMI in Count II of the Complaint being dismissed with prejudice
3 by Plaintiff upon acceptance of this Offer of Judgment.

4 This offer is made for purposes of settlement and shall not be construed as an
5 admission that PMI is liable in this action or that Plaintiff suffered any damages as a result of
6 PMI's actions.

7 DATED: August 8, 2008

8 BARTKO, ZANKEL, TARRANT & MILLER
9 A Professional Corporation

10 FOLEY HOAG LLP

11 By: 

John E. Duke

Attorneys for Defendant

POWER MEDICAL INTERVENTIONS

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that a true copy of the above document was served upon counsel for
14 Plaintiff Myrick Tantiado, Stephen J. Henry, Esq., 2625 Alcatraz Avenue, No. 615, Berkeley,
15 California 94705 by first-class mail on August 8, 2008.
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21 John E. Duke
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August 8, 2008

John E. Duke
Boston Office
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Via U.S. Mail

Stephen J. Henry, Esq.
2625 Alcatraz Avenue, No. 615
Berkeley, CA 94705

Re: Tantiado v. Power Medical Interventions, Inc., Case No. C 07-02874 CRB

Dear Stephen:

Enclosed please find "Defendant Power Medical Interventions, Inc.'s Offer of Judgment on Count II of Plaintiff's Complaint."

Please call if you have any questions.

Sincerely,



John Duke

Enclosure

cc: Michael L. Rosen, Esq.
Alyson L. Huber, Esq.